



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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JUN -7 2002

Paper No. 14

In re Application of :
Ebrahim Andideh *et al* : DECISION ON PETITION
Application No. 09/436,092 :
Filed: November 8, 1999 :
Attorney Docket No. 042390P3955D :

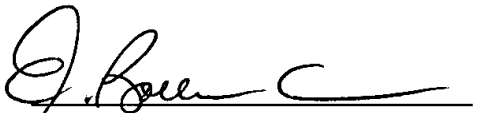
The papers filed by facsimile transmission on May 3, 2002 and June 5, 2002 are being treated collectively as a petition filed on June 5, 2002 under 37 CFR 1.181. Petitioners are requesting withdrawal of the examiner's holding that this application stands abandoned for failure to file a reply to the Office letter dated August 28, 2001. No fee is required for the petition.

The petition is granted.

Petitioners have provided a copy of papers that were received in the Office on February 13, 2002, said papers including a reply and a petition for a two month extension of time, together with a check for the extension fee. Petitioners have also provided a copy of a postcard receipt showing that these items were in fact received in the Office on February 13, 2002. Further, the papers have affixed thereto a 37 CFR 1.8(a) certificate of mailing dated January 28, 2002. In addition, Office financial records show that the extension fee was in fact received.

In view of the evidentiary showing in support of petitioners' statement that a reply to the Office letter in question was timely filed, it is clear that a timely reply was in fact filed and that this application was never abandoned. Accordingly, the Notice of Abandonment is hereby vacated, the holding of abandonment is withdrawn, and the application is restored to pending status. The application is being forwarded to the examiner for action on the reply filed on February 13, 2002, certificate of mailing date January 28, 2002.

PETITION GRANTED.


E. Rollins-Cross, Director, Patent
Examining Groups 3710 and 3720

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